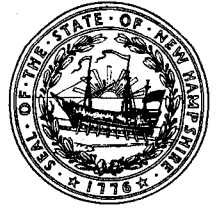


State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



September 15, 2004

**LETTER OF DEFICIENCY
WET 2004-60**

Mr. Michael Gianatassio, Jr.
9 Summerfare St.
Hooksett, NH 03106

RE: DES Wetlands File #2004-02193 9 Autumn Run, Hooksett

Dear Mr. Giantassio:

On September 13, 2004, in response to a complaint, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Hooksett Tax Map 35 as Lot 1-3 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. Approximately 500 square feet of wetland had been dredged and filled without a permit from DES.

Interviews with personnel from Precision Timber Harvesting, your logger, indicate that a skidder had become entrenched in the wetland area on the northwest quadrant of your property. The wetland was severely rutted and filled with slash.

Enclosed is a copy of the inspection report given to Mr. Guy Doucet of Precision Timber Harvesting during the DES inspection. Please note that the wetland area must be restored. A Restoration Plan should be submitted to DES by September 30, 2004. Restoration activities may commence only after DES approves and conditions a restoration plan. DES proposes that the restoration be complete by October 15, 2004. Documentation of implementation of the restoration should include photographs and all stages of the restoration (before work starts and after work is completed) and should be sent to DES by October 20, 2004.

Please also note that any further fill or removal of stumps in the wetland area is a violation of RSA 482-A.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Arlene Allen, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-4192.

Sincerely,


COPY

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7004 0750 0003 0562 6540

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit ✓
Hooksett Conservation Commission
Hooksett Board of Selectmen
USACOE
Ken Andrews, CEO, Town of Hooksett
Guy Doucet, Precision Timber Harvesting, Inc.